

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Khalil A. Salem,	)	C.A. No. 4:06-3047
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
South Carolina Department of Corrections;	)	
Lt. Bird; Sgt. Williams; Captain Price;	)	
Ofc. Outlaw; W/M Sgt. Of Transporation;	)	
Ofc. Greathouse; Ofc. Phillips; W/M Lt.,	)	
	)	
Defendants.	)	
_____	)	

Plaintiff Khalil A. Salem filed the instant *pro se* action which the Defendants removed to this Court on October 26, 2006. (Doc. # 1). On February 20, 2007, the Defendants filed the pending motion for summary judgment. (Doc. #22). As the Plaintiff is proceeding *pro se*, an Order pursuant to Roseboro v. Garrison, 528 F.2d 309 (4<sup>th</sup> Cir. 1975) was issued on February 27, 2007, advising the Plaintiff of the importance of a motion for summary judgment. (Doc. #24). The Plaintiff was specifically advised that he had 34 days to respond and that if he failed to respond adequately, the Defendants' motion may be granted, thereby ending his case. Id. To date, the Plaintiff has filed no response.

On April 20, 2007, United States Magistrate Judge Thomas E. Rogers, III, to whom this case was previously assigned, issued a Report and Recommendation ("the Report") recommending that the complaint be dismissed pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute this claim, or, in the alternative, granting summary judgment in its entirety based on the merits of the motion. To

date, the Plaintiff has filed no objections to the Report.<sup>1</sup>

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4<sup>th</sup> Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation and the relevant filings in this case. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED** and the Defendants' motion for summary judgment is **GRANTED**. Accordingly, this action is dismissed and any state claims are hereby remanded to the South Carolina Court of Common Pleas for Richland County where this action was first filed.

**IT IS SO ORDERED.**

S/ Terry L. Wooten

Terry L. Wooten  
United States District Judge

July 31, 2007  
Florence, South Carolina

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<sup>1</sup>The Court notes the Report was mailed to the Plaintiff at the address he provided to the Clerk of Court but returned as undeliverable. (Entry #29).